

REMARKS

Claims 1-11 and 13-21 were pending. By virtue of this response, claims 1, 17 and 18 are amended. Therefore, claims 1-11 and 13-21 are presently under examination. Amendment of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. Support for the amendments may be found throughout the specification. Support for the amendment to claim 1 may be found, by way of example, in page 4, lines 1-10. The amendment to claims 17 and 18 is not new matter, per OG notice 1351 OG 212 2/23/10. No new matter was added by these amendments.

I. Claim Rejections Under 35 USC §103

The rejection under 35 U.S.C. 103(a) of claims 1-11 and 19-21 as allegedly being unpatentable over Ryall *et al.* (WO 02/058737 8/1/02), in view of Ho *et al.* (Vaccine 19 (2001) 716-725) and Claus *et al.* (Mol Gen Genet (1997) 257:28-34) is maintained, and newly applied to claims 13 and 17-18.

While the Applicants disagree with the Examiner's rejection, in order to expedite prosecution, claim 1 has been amended to include additional specific calculation steps regarding the process for determining the content of serogroup C saccharide of a composition of claim 1, which are not taught or appreciated by Ryall *et al.*, Ho *et al.*, or Claus *et al.* As discussed in the previous Office Action response (dated March 22, 2011), none of Ryall *et al.*, Ho *et al.*, or Claus *et al.* teach or appreciate the difficulty in analyzing the saccharide content of a composition that contains a capsular saccharide from serogroup C of *Neisseria meningitidis* and one or both of: (i) a capsular saccharide from serogroup W135 of *Neisseria meningitidis*; and/or (ii) a capsular saccharide from serogroup Y of *Neisseria meningitidis*. Furthermore, none of the cited references teach or suggest a means for accurately determining the content of serogroup C saccharides in such a composition.

Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 1-11, 13, and 17-21.

II. Claim Objections

Claim 17 is objected to as being dependent on a cancelled claim, claim 12.

Applicants have amended claim 17, to no longer depend on claim 12.

Applicants therefore respectfully request that the Examiner withdraw the rejection of claim 17.

III. Claim Rejections Under 35 USC §101

Claims 17 and 18 are rejected under 35 U.S.C. 101 because the claimed invention is allegedly directed to non-statutory subject matter.

Applicants have amended claims 17 and 18 to refer to, in part, a “non-transitory computer-readable storage medium.”

Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 17 and 18.

IV. Claim Rejections Under 35 USC §112, Second Paragraph

Claims 1-11, 13, and 17-21 are rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants would like to thank the Examiner for the helpful guidance in the Office Action regarding possible claim amendments to obviate the 35 U.S.C. § 112, second paragraph, rejection.

While the Applicants disagree with the Examiner’s rejection, in order to expedite prosecution, claim 1 has been amended to remove the term “comparing” from step (e), and to include additional specific calculation steps to particularly point out and distinctly claim exactly how the content of serogroup C saccharide in the composition is determined.

Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 1-11, 13, and 17-21.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **Docket No. 223002119000**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By /Otis Littlefield/
Otis B. Littlefield
Registration No.: 48,751

MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: 415.268.6846
Fax: 415.268.7522